

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

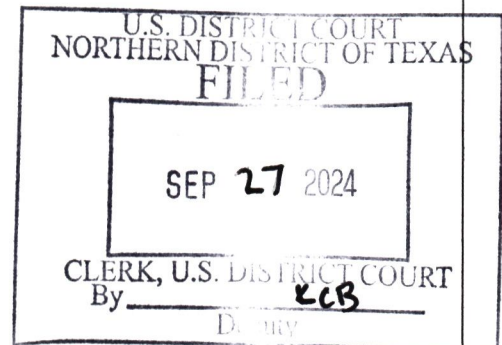
Jeremiah McCall
Plaintiff,

v.
Credit Control LLC;

CASE NO.

Complaint for a civil case

Jury Trial: ☒ Yes ☐ No



Introduction

1. This is a civil action for actual, statutory damages and cost brought by Jeremiah McCall (“Plaintiff”) an individual consumer, against defendant, Credit Control LLC (“CCL”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

Jurisdiction

2. Jurisdiction of this court arises under 15 U.S.C § 1681(P), 15 U.S.C § 1692 K(d) and 28 U.S.C § 1391 B(2) because a substantial part of the events, omissions, or conduct giving rise to plaintiff claim occurred in this judicial district. Defendant (“CCL”) transact business in Dallas, Texas.

1 3. The court has supplemental jurisdiction of any state law pursuant to 28 U.S.C § 1367.

2 **Parties**

3 4. Plaintiff, Jeremiah McCall is a natural person and consumer as defined by 15 U.S.C §
4 1681 a(c), residing in Dallas, Texas.

5 5. Upon information and belief, Defendant, Credit Control LLC is a Missouri
6 Corporation with a principal place of business located at **3300 Rider Trl S**
7 **SUITE 500 Earth City, MO 63045**

8 6. Defendant, CCL has a Registered Agent by the name of Richard Saffer with a principal
9 place of business located at 3300 Rider Trl S Suite 500 Earth City, MO 63045

10 7. Defendant CCL., is engaged in the collection of debt from consumers using the mail
11 and telephone. Defendant regularly attempt to collect consumers' debts alleged to be due to
12 another's. The alleged debt arose from a financial obligation that was primarily for personal,
13 family or household purposes and is therefore a "debt as that term is defined by 15 U.S.C.
14 §1692a(5).

15 8. The acts as described in this complaint were performed by defendants or on
16 defendant's behalf by its owners, officers, agents, and/or employees acting within the scope of
17 their actual or apparent authority. As such, all references to "defendant" or their owners, agents,
18 and/or employees.

19 **Factual Allegations**

20 9. Defendant CCL., (hereinafter referred to as "Debt Collector") is a "debt collector" as
21 defined by the FDCPA, 15 U.S.C 1692a(6)

22 10. The primary and principal business of the defendant is to collect on alleged defaulted
23 debts.
24

1 11. The defendant obtained an alleged debt regarding the Plaintiff in or Around August of
2 2020.

3 11. On or about July 2024, the Plaintiff noticed he was receiving emails and letters from
4 the defendant trying to collect on an alleged debt from Verizon.

5 12. On or around August 20th, the plaintiff communicated to the defendant through email
6 that they refuse to pay the debt.

7 13. On or around August 27th, CCL sent another email to the Plaintiff attempting to
8 collect on the same debt that the Plaintiff wrote the “refusal to pay the debt” which is a violation
9 of 15 U.S.C 1692c(c). The defendant also sent multiple letters in or around September 2024
10 attempting to collect on the debt.

11 14. Despite the Plaintiffs request to cease communication with him, in an attempt to
12 harass, oppress, and intimidate the Plaintiff, the defendant proceeded to communicate with the
13 plaintiff regarding the debt.

14 15. All of the above actions by defendants and collection agents of defendants were made
15 in violation of the FDCPA as will be described below.

16 16. Plaintiff has the interest and right to be free from deceptive, misleading collection
17 efforts.

18 17. Plaintiff has the interest and right to privacy from individuals harassing him in an
19 attempt to collect a debt after the Plaintiff has invoked his rights by notifying the debt collector
20 how to communicate with him.

21 18. Plaintiff has the interest and right to be free from harassment due to debt collectors
22 trying to collect on an “alleged” debt.

23 19. Plaintiff’s injury is “particularized” and “actual” in that the conduct that deprived
24 plaintiff of their rights was directed by Defendant to plaintiff specifically.

1 20. Plaintiff's injury is directly traceable to Defendants conduct because if it wasn't for
2 the Defendants conducts, Plaintiff would not have been deprived of his rights.

3 21. Defendant, CCL, caused the Plaintiff emotional distress, mental anguish, Loss of time
4 due to learning how to defend himself against the Defendant, invasion of privacy, anxiety due to
5 efforts to try and collect this "alleged debt without regard for the law, fear due to harassment
6 which has led to sleepless nights, and psychological harm.

7 22. The Plaintiff request that defendant compensate him for damages due to the FDCPA
8 violation(s) under 15 USC § 1692k.

9 23. Plaintiff justifiably fears that, absent this court's intervention, Defendant CCL will
10 continue to use abusive, deceptive, unfair, and unlawful means in its attempts to collect alleged
11 debts.

12 24. The deprivation of Plaintiff's rights will be redressed by a favorable decision herein.

13 25. A favorable decision herein would redress Plaintiffs injury with money damages.

14 26. A favorable decision herein would server to defer Defendant from further similar
15 conduct.

16 **Count 1 Violation of the Fair Debt Collection Practices Act**

17 **(CCL)**

18 27. Plaintiff reincorporates by referencing all the preceding paragraphs.

19 28. According to 15 U.S.C 1692c(c) Ceasing communication

20 If a consumer notifies a debt collector in writing that the consumer refuses to pay a debt
21 or that the consumer wishes the debt collector to cease further communication with the
22 consumer, the debt collector shall not communicate further with the consumer with respect to
23 such debt, except—

24 (1)to advise the consumer that the debt collector's further efforts are being terminated;

1 (2)to notify the consumer that the debt collector or creditor may invoke specified
2 remedies which are ordinarily invoked by such debt collector or creditor; or

3 (3)where applicable, to notify the consumer that the debt collector or creditor intends to
4 invoke a specified remedy.

5 29. As is the Plaintiff's right under the FDCPA, the Plaintiff wrote to the defendant that
6 he refuses to pay the debt on August 20th 2024. Despite the plaintiff's notice, the defendant
7 continued to communicate with the Plaintiff in an attempt to collect the debt on August 27th 2024
8 through email and also sent multiple letters in September 2024 in an attempt to collect the debt.

9 30. Despite the Plaintiff's clear instructions, in an attempt to harass, oppress, and
10 intimidate the Plaintiff, the defendant proceeded to communicate with the Plaintiff in attempts to
11 collect a debt that he clearly stated to the defendant that he refused to pay.

12 31. Despite the Plaintiff's communication that he refuses to pay the debt, in an attempt to
13 harass, oppress, and intimidate the Plaintiff, the defendant proceeded to send multiple
14 communications to the Plaintiff in an attempt to collect the debt after the plaintiff advised them
15 that he refuses to pay the debt which is a violation of 15 U.S.C 1692c(c).

16 32. Defendant, CCL, violated the Fair Debt Collection Practices Act as follows:

17 33. The Debt Collector's violations include, but are not limited to, the following: The
18 Debt Collector violated 15 U.S.C § 1692c(c) of the FDCPA by communicating with the plaintiff
19 after the Plaintiff communicated to them that he refuses to pay the debt.

20 34. The defendant is in violation of 15 U.S. Code § 1692d by engaging in conduct in
21 which the natural consequence was harassing, oppressive, and abusive to the plaintiff.

22 35. As a result of these violations, the Defendant, CCL, caused the Plaintiff emotional
23 distress, mental anguish, Loss of time due to learning how to defend himself against the
24 Defendant, invasion of privacy, anxiety due to efforts to try and collect this "alleged debt without

1 regard for the law, fear due to harassment which has led to sleepless nights, and psychological
2 harm.

3 36. As a result of the above violations of the FDCPA, Defendant are liable to the Mr.
4 Mccall for the following:

5 A. Judgment for the violations occurred for violating the FDCPA;

6 B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);

7 C. Statutory damages pursuant to 15 U.S.C 1692k(2);

8 D. Cost pursuant to 15 U.S.C 1692k(3); E. For such other and further relief as the Court
9 may deem just and proper.

10 **Jury Demand and Prayer For Relief**

11 Wherefore Plaintiff, Jeremiah Mccall respectfully demands a trial by Jury and request that
12 judgement be entered in favor of the Plaintiff against the Defendant for:

13 A. Judgment for the violations occurred for violating the FDCPA;

14 B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);

15 C. Statutory damages pursuant to 15 U.S.C 1692k(2);

16 D. Cost pursuant to 15 U.S.C 1692k(3); E. For such other and further relief as the Court
17 may deem just and proper.

18
19 Date:

20 _____09/23/2024_____

21 YOUR NAME: Jeremiah Mccall

22 EMAIL: Mccallinfo1993@gmail.com

23 Phone Number: 469-404-2061

24 Address: 2045 S Forum Dr Apt 4211 Grand Prarie, Tx 75052

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jeremiah McCall Mccallinfo1993@gmail.com
2045 S Forum Dr Apt 4211 Grand Prairie, Tx 75052

(b) County of Residence of First Listed Plaintiff Dallas
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

Credit Control LLC

County of Residence of First Listed Defendant Dallas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

SEP 27 2024

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 1 Incorporated or Principal Place of Business In This State
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1681i and 15 USC 1681e(b)

Brief description of cause:

Violations of the Fair Credit Reporting Act

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/23/2024

SIGNATURE OF ATTORNEY OF RECORD

Jeremiah McCall

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____



X-RAY

FLAT RATE ENVELOPE

ONE RATE ■ ANY WEIGHT

To schedule free Package Pickup,
scan the QR code.



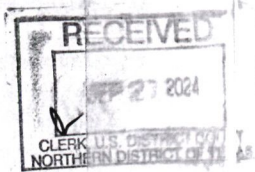
USPS.COM/PICKUP

VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE



PS10001000006

EP13F October 2023
OD: 12 1/2 x 9 1/2



E	US POSTAGE & FEES PAID PRIORITY MAIL EXPRESS ZONE 1 FLAT-RATE ENVELOPE Commercial	062S0001484840 17300947 FROM 75052
stamp endicia 09/23/2024		
PRIORITY MAIL EXPRESS 1-DAY™		
JEREMIAH MCCALL JEREMIAH 2045 S FORUM DR APT 4211 GRAND PRAIRIE TX 75052-1228		0007 (469) 404-2061
WAIVER OF SIGNATURE		
SHIP TO:	UNITED STATES DISTRICT COURT CLERKS OFFICE 1100 COMMERCE ST STE 1452 DALLAS TX 75242-1310	
USPS TRACKING #		
9470 1111 0550 1204 0698 31		

RED

For Domestic shipments, the maximum weight is 70 pounds.